IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA STATESVILLE DIVISION

CIVIL ACTION NO. 5:20-CV-00012-KDB-DSC

ROBERT CLAY SANDERS,)
Plaintiff,)))
v.	ORDER ORDER
BRANCH CIVIL INC.,))
Defendant.	,

THIS MATTER is before the Court on "Defendant's Motion to Compel Plaintiff's Complete Responses to Defendant's Discovery Requests" (document # 14) and "Memorandum ... in Support ..." (document #14-1), both filed September 3, 2020.

<u>Pro se</u> Plaintiff has not responded to the Motion and the time for filing a response has expired.

This Motion has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. §636(b)(1)(B) and is now ripe for the Court's consideration.

For the reasons stated in Defendants' Motion and supporting brief, the Court **ORDERS** the <u>pro se</u> Plaintiff to serve complete supplemental responses to Defendant's First Set of Interrogatories, serve all documents responsive to Defendants First Set of Requests for Production, and serve all documents identified by Plaintiff in his Initial Disclosures.

Dismissal and the imposition of monetary sanctions are remedies available under Rule 37 for a party's failure to obey rules governing discovery and orders of the District Court. See Fed. R. Civ. P. 37(b)(2)(C); National Hockey League v. Metro. Hockey Club, 427 U.S. 639, 643 (1976);

Mutual Fed. Sav. & Loan v. Richards & Assocs., 872 F.2d 88, 92 (4th Cir. 1989); Wilson v.

Volkswagen of America, Inc., 561 F.2d 494, 504-04 (4th Cir. 1977).

Accordingly, the Court warns Plaintiff that failure to provide full and complete responses

to these discovery requests, to respond to any other of Defendant's reasonable discovery requests,

or to otherwise comply fully with any of the Court's Orders, the Local Rules, or the Rules of Civil

Procedure may result in the imposition of sanctions. Sanctions may include Plaintiff being

ordered to pay Defendant's costs including reasonable attorney's fees in their entirety and

may also include dismissal of the Complaint with prejudice.

NOW THEREFORE IT IS ORDERED:

1. "Defendant's Motion to Compel Plaintiff's Complete Responses to Defendant's

Discovery Requests" (document # 14) is GRANTED. Within fourteen days of the date of this

Order, Plaintiff shall serve complete supplemental responses to Defendant's First Set of

Interrogatories, serve all documents responsive to Defendants First Set of Requests for Production,

and serve all documents identified by Plaintiff in his Initial Disclosures.

2. The parties shall bear their own costs at this time.

The Clerk is directed to send copies of this Order to pro se Plaintiff, to defense counsel and

to the Honorable Kenneth D. Bell.

SO ORDERED.

Signed: September 22, 2020

David S. Cayer

United States Magistrate Judge